

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

20-09505 BKMFR01
BROCK & SCOTT, PLLC
302 Fellowship Rd, Suite 130
Mount Laurel, NJ 08054
(844) 856-6646
Attorneys for Freedom Mortgage Corporation

In Re:

KEVIN MICHAEL O'CONNOR



Order Filed on May 5, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No: 19-31145-CMG

Hearing Date: May 5, 2021

Judge: CHRISTINE M.
GRAVELLE

Chapter: 13

Recommended Local Form

☐ Followed

☒ Modified

**ORDER RESOLVING MOTION TO VACATE STAY
AND/OR MOTION TO DISMISS
WITH CONDITIONS**

The relief set forth on the following pages, numbered two (2) through four (4) is **ORDERED**.

DATED: May 5, 2021

A handwritten signature in black ink, reading "Christine M. Gravelle".

Honorable Christine M. Gravelle
United States Bankruptcy Judge

Applicant: Freedom Mortgage Corporation
Applicant's Counsel: Matthew Fissel, Esquire, Brock & Scott, PLLC
Debtor(s)' Counsel: William H. Oliver, Jr, Esquire
Property Involved ("Collateral"): 115 Hawthorne St, Neptune, NJ 07753

Relief sought: ☒ Motion for relief from the automatic stay
☐ Motion to dismiss
☐ Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor(s)' future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion is resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- ☒ The Debtor is overdue for 8 months, from September 2020 to April 2021.
☒ The Debtor is overdue for 3 payments at \$1,698.07 per month.
☒ The Debtor is overdue for 5 payments at \$1,778.82 per month.
☒ The Debtor owes a total of \$18,303.04 in property taxes disbursed to Neptune Township on his behalf.
☐ The Debtor assessed for _____ late charges at \$ _____ per month.
☐ Applicant acknowledges receipt of funds in the amount of \$ _____ received after the motion was filed.
☒ The Debtor has a post-petition suspense balance of \$781.85.

Total Arrearages Due: \$31,509.50

2. Debtor(s) must cure all post-petition arrearages, as follows:

☐ Immediate payment shall be made in the amount of \$ _____. Payment shall be made no later than _____.

☐ Beginning on May 1, 2021, regular monthly mortgage payments shall continue to be made in the amount of \$1,778.82.

☐ Beginning on _____, additional monthly cure payments shall be made in the amount of \$_____ for _____ months.

☒ The amount total amount of \$32,547.50, representing both the arrearages described above as well as the attorney's fees and costs described below, shall be capitalized in the Debtor's Chapter 13 plan and paid off along with the pre-petition arrearages in full.

3. Payments to the Secured Creditor shall be made to the following address(es):

☐ Immediate payment:

☒ Regular monthly payment:

Freedom Mortgage

Attn: Cash Processing

10500 Kincaid Drive

Fishers, IN 46037

☐ Monthly cure payment:

4. In the event of Default:

☒ If the Debtor(s) fails to make the immediate payment specified above or fails to make any regular monthly payment or the additional monthly cure payment within thirty (30) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtor(s)' failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor(s), and the Debtor(s)'s attorney.

☒ If the bankruptcy case is dismissed, converted, or if the automatic stay is vacated, the filing of a new bankruptcy case will not act to impose the automatic stay against the Secured Creditor's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

☒ The Applicant is awarded attorney fees of \$850.00, and costs of \$188.00.

The fees and costs are payable:

☒ through the Chapter 13 plan.

☐ to the Secured Creditor within ___ days.

☐ Attorneys' fees are not awarded

In re:
Kevin Michael O'Connor
Debtor

Case No. 19-31145-CMG
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: May 05, 2021

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 07, 2021:

Recip ID	Recipient Name and Address
db	Kevin Michael O'Connor, 115 Hawthorne Street, Neptune, NJ 07753-3917

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 07, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 5, 2021 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Albert Russo	on behalf of Trustee Albert Russo docs@russotrustee.com
Andrew L. Spivack	on behalf of Creditor FREEDOM MORTGAGE CORPORATION andrew.spivack@brockandscott.com wbef@brockandscott.com
Andrew L. Spivack	on behalf of Creditor Freedom Mortgage Corporation andrew.spivack@brockandscott.com wbef@brockandscott.com
Denise E. Carlon	on behalf of Creditor Toyota Motor Credit Corporation dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Gavin Stewart	on behalf of Creditor Toyota Motor Credit Corporation bk@stewartlegalgroup.com
Matthew K. Fissel	on behalf of Creditor Freedom Mortgage Corporation wbef@brockandscott.com
Matthew K. Fissel	on behalf of Creditor FREEDOM MORTGAGE CORPORATION wbef@brockandscott.com

District/off: 0312-3

User: admin

Page 2 of 2

Date Rcvd: May 05, 2021

Form ID: pdf903

Total Noticed: 1

Nicole Marie Savage

on behalf of Creditor FREEDOM MORTGAGE CORPORATION nicole.savage@brockandscott.com

Robert P. Saltzman

on behalf of Creditor Freedom Mortgage Corporation dnj@pbslaw.org

Robert W. Keyser

on behalf of Creditor BB 316 Investments LLC rkeyser@taylorandkeyser.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

William H. Oliver, Jr.

on behalf of Debtor Kevin Michael O'Connor court docs@oliverandlegg.com R59915@notify.bestcase.com

TOTAL: 13